

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-20 remain in the application. Claims 1-7 and 9 have been amended. Claims 10-20 have been allowed.

In item 2 on page 3 of the above-mentioned Office action, claims 1-2 and 6-7 have been rejected as being anticipated by Mann et al. (US Pat. No. 4,351,371) under 35 U.S.C. § 102(b).

In item 3 on pages 4-5 of the above-mentioned Office action, claims 1-5 have been rejected as being unpatentable over Seaborn et al. (US Pat. No. 4,047,544) under 35 U.S.C. § 103(a).

In item 4 on pages 5-6 of the above-mentioned Office action, claims 8-9 have been rejected as being unpatentable over Seaborn et al. in view of November (US Pat. No. 2,555,290) and further in view of Pigna et al. (US Pat. No. 3,854,158) under 35 U.S.C. § 103(a).

The rejections have been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found in

paragraph [003] on page 1 of the specification, which describes Wire-O binding elements, as well as Figs. 2-5 of the drawings. Accordingly, such a binding element includes at least one loop.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

inserting a looped binding element into perforations along an edge of a plurality of superposed sheet-like material; and

forming said looped binding element immediately before the inserting step to eliminate pre-formed looped binding element supply.

Mann et al. disclose a coiled wire binding element. The coils of Mann et al. do not have loops. The process of manufacturing a coil binding element and that of a looped binding element are completely different so that the teachings Mann et al. cannot be translated to the invention of the instant application.

The Examiner has stated that Seaborn et al. disclose forming the wire binding element (as seen in Fig. 1) immediately before inserting step to eliminate pre-formed binding elements (Col. 7, lines 55-60). However, this is not the case. In

fact, in Fig. 1 of Seaborn et al. it is clearly marked "to packaging." This is exactly the unwanted storage of binding elements that the invention of the instant application aims to prevent. The text in column 7, lines 55-60 of Seaborn et al. merely states that the so pre-formed wire element can be inserted into a variety of paper notebook produces. No word is mentioned that this insertion takes place immediately after the forming. In fact, any pre-formed binding element can be inserted at some point in time, because this is just what binding element is about. In conclusion, Seaborn et al. merely disclose another way of forming binding element stock to be used for binding books, which is contradictory to the invention of the instant application.

November only discloses in Figs. 4 and 6 how such a pre-formed binding element is closed when inserted in the book. However, November does not disclose that the binding element was formed immediately before the insertion. Any binding element has to be closed at some point to perform its duties. Also, neither November nor Seaborn et al. provide any hint toward the direction that the processes of forming the binding element and inserting and closing the binding element should take place immediately one after another.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since claims 2-9 are ultimately dependent on claim 1, they are believed to be patentable as well.

Applicants acknowledge the Examiner's statement in item 5 on page 6 of the above-mentioned Office action that claims 10-20 are allowed.

In view of the foregoing, reconsideration and allowance of claims 1-9 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to

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Respectfully submitted,


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